

10-403. SAME -- RIGHTS OF PERSON UNDER INVESTIGATION.

WHENEVER THE ATTORNEY GENERAL CONDUCTS AN INVESTIGATION UNDER THIS SUBTITLE, THE ATTORNEY GENERAL SHALL PROVIDE TO THE PERSON UNDER INVESTIGATION:

(1) A WRITTEN STATEMENT THAT SPECIFIES THE CONDUCT UNDER INVESTIGATION; AND

(2) AN OPPORTUNITY TO BE HEARD AND TO PRESENT EVIDENCE ON THE CONDUCT UNDER INVESTIGATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 10, § 26B(f).

In item (1) of this section, the reference to a "statement that specifies the conduct under investigation" is substituted for the former reference to a "specification of the issues which are to be considered", for clarity.

Defined term: "Person" § 1-101

10-404. SAME -- INVESTIGATIVE AND ENFORCEMENT POWERS.

(A) INVESTIGATIVE POWERS.

IN AN INVESTIGATION UNDER THIS SUBTITLE, THE ATTORNEY GENERAL, A DEPUTY ATTORNEY GENERAL, OR ANY ASSISTANT ATTORNEY GENERAL WHOM THE ATTORNEY GENERAL DESIGNATES MAY:

(1) ISSUE A SUBPOENA FOR THE ATTENDANCE OF A WITNESS TO TESTIFY OR THE PRODUCTION OF EVIDENCE;

(2) ADMINISTER OATHS; AND

(3) EXAMINE WITNESSES.

(B) APPLICABLE LAWS.

THE LAWS THAT RELATE TO CIVIL ACTIONS GOVERN THE ATTENDANCE AND COMPENSATION OF WITNESSES IN AN INVESTIGATION UNDER THIS SUBTITLE.

(C) FAILURE TO COMPLY.

IF A PERSON FAILS TO COMPLY WITH A SUBPOENA OR REFUSES TO TESTIFY ABOUT A MATERIAL MATTER, ON PETITION OF THE ATTORNEY GENERAL, A CIRCUIT COURT MAY COMPEL COMPLIANCE WITH THE SUBPOENA.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 10, §